

## UNITED STATES DISTRICT COURT

for the

District of South Carolina

Phillips and Jordan, Inc.,

*Plaintiff*

v.

McCarthy Improvement Company, Western Surety

*Company,**Defendants*)  
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)  
)  
)  
)

Civil Action No. 5:18-cv-00559-JMC

**JUDGMENT IN A CIVIL ACTION**The court has ordered that (*check one*):

■ the Plaintiff recover from the Defendants damages in the amount of Three Million, Three Hundred Forty-Four Thousand, One Hundred Seventy-Four and 60/100 dollars (\$3,344,174.60), plus postjudgment interest at the rate of .12 %.

■ other: judgment is entered in favor of the Plaintiff Phillips and Jordan, Inc. on its claims for (1) Breach of Contract, (2) Violation of South Carolina's Prompt Pay Act, (3) Recovery of Attorney's Fees and Interest for Improvement of Real Estate, and (4) Breach of Payment Bond against Defendant McCarthy Improvement Company, as well as (1) Recovery of Attorney's Fees and Interest for Improvement of Real Estate and (2) Breach of Payment Bond against Defendant Western Surety Company. It is further order that Defendant, McCarthy Improvement Company take nothing of the Plaintiff as to their Counterclaim for Breach of Contract.

This action (*check one*):

■ came to hearing before the court, The Honorable J. Michelle Childs, United States District Judge presiding. The Court having made its Findings of Fact and Conclusions of Law in favor of the Plaintiff.

Date: September 29, 2020

CLERK OF COURT

s/Angie Snipes

*Signature of Clerk or Deputy Clerk*